

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

## **SENATE BILL 1122**

AN ACT

AMENDING SECTION 15-460, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT BOUNDARIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 15-460, Arizona Revised Statutes, is amended to  
3 read:

4              15-460. Change of school district boundaries

5       A. On request of the governing board of a school district or on  
6 receipt of a petition bearing the signatures of ten per cent or more of the  
7 qualified electors residing in the school district to change the boundaries  
8 of the school district in such a manner as to include adjacent unorganized  
9 territory, setting forth the boundaries desired and the reasons for such  
10 change, the county school superintendent shall submit the question of  
11 including the unorganized territory within the existing school district to  
12 the qualified electors of the new proposed school district. The election  
13 shall be held as provided in section 15-459, except that a majority of the  
14 qualified electors voting on the question in the unorganized territory and a  
15 majority of the qualified electors voting on the question in the existing  
16 school district must approve the change. If approved, the change is  
17 effective from and after June 30 next following the election.

18       B. When ten per cent or more of the qualified electors residing in a  
19 school district desire that the boundaries of the school district be  
20 diminished, they may present a petition to the county school superintendent  
21 setting forth the change of boundaries desired and the reasons for such  
22 change. The county school superintendent shall prepare and transmit to the  
23 governing board of the school district proposed to be diminished a report  
24 providing specific information regarding the future availability of  
25 educational programs in the area of the district to be detached and in the  
26 area which will constitute the remaining district, availability of pupil  
27 transportation services and the financial impact on taxpayers. The governing  
28 board shall mail or distribute the report to all households located in the  
29 school district. The county school superintendent shall submit the question  
30 of diminishing the school district boundaries to the qualified electors of  
31 the school district. The election shall be held as provided in section  
32 15-459. A majority of the qualified electors voting on the question in the  
33 territory to remain in the existing school district and a majority of the  
34 qualified electors voting on the question in the territory to be excluded  
35 must approve the change. If approved, the change is effective from and after  
36 June 30 next following the election.

37       C. Notwithstanding subsections A and B of this section and this  
38 chapter, the governing boards of two adjacent common, union or unified school  
39 districts may authorize minor boundary adjustments to both school districts  
40 and the governing boards of a unified school district and adjacent common and  
41 union high school districts may authorize minor boundary adjustments to the  
42 three school districts if all of the following are true:

43       1. The school districts authorizing the boundary adjustment have not  
44 previously made more than one minor boundary adjustment pursuant to this  
45 subsection.

1       2. A majority of the electors within the geographic boundaries of a  
2 portion of a school district, as specified in the petition, presents a  
3 petition to the governing boards of the district or districts in which the  
4 petitioners currently reside and the district to which the petitioners desire  
5 to be annexed. If there are no electors within the geographic boundaries of  
6 the territory to be annexed, a majority of the property owners in the  
7 territory may submit the petition. The petition shall set forth the  
8 boundaries of the portion of the district to be annexed.

9       3. A majority of the members of the governing boards of each district  
10 approves the minor boundary adjustment.

11      4. The boundary adjustment would result in the transfer of no more  
12 than one and one-half per cent of the student count of the district from  
13 which the pupils will transfer.

14      5. The boundary adjustment would not result in the transfer of any  
15 school buildings, equipment or furnishings from one school district to  
16 another school district.

17      6. No member of the governing board of the school district to be  
18 diminished is a resident of the territory that is being transferred to the  
19 adjacent school district.

20      7. The governing boards of the school districts have agreed on a means  
21 to satisfy any liabilities.

22      D. If a majority of the members of the governing boards of school  
23 districts to which petitions were presented pursuant to subsection C of this  
24 section approves the petitions, the petitions shall be transmitted with the  
25 endorsements of the governing boards to the county school superintendent.  
26 The county school superintendent, if no petition opposing annexation signed  
27 by a majority of the school electors representing either the resident  
28 district or the district to which annexation is proposed is received within  
29 fifteen days after the transmittal of the petition requesting annexation,  
30 shall make the records of boundaries conform to the petition for annexation  
31 and notify the boards of supervisors and the county assessor of the boundary  
32 change. The change is effective from and after June 30 next following the  
33 notification of the boards of supervisors.

34      E. Notwithstanding subsection A of this section, if the qualified  
35 electors residing in a school district have previously voted to accept  
36 unorganized territory into the district's boundaries in two consecutive  
37 elections called for this purpose, the school district governing board may  
38 annex any election precinct within the unorganized territory that is  
39 contiguous to the school district if both of the following conditions exist:

40       1. At least one hundred fifty pupils who reside in the election  
41 precinct are enrolled in one or more school districts in the county.

42       2. The qualified electors of the precinct have previously voted in  
43 favor of the annexation.

1           F. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE GOVERNING BOARD  
2 OF A UNIFIED SCHOOL DISTRICT MAY AUTHORIZE A CHANGE TO THE GEOGRAPHIC  
3 BOUNDARIES OF THE SCHOOL DISTRICT TO INCLUDE A NONCONTIGUOUS UNORGANIZED  
4 TERRITORY IF ALL OF THE FOLLOWING CRITERIA ARE MET:

5           1. A MAJORITY OF THE QUALIFIED ELECTORS WITHIN THE GEOGRAPHICAL  
6 BOUNDARIES OF AN UNORGANIZED TERRITORY THAT IS PROPOSED TO BE INCLUDED IN THE  
7 UNIFIED SCHOOL DISTRICT PRESENT A PETITION TO THE SCHOOL DISTRICT GOVERNING  
8 BOARD. IF THERE ARE NO QUALIFIED ELECTORS WITHIN THE GEOGRAPHIC BOUNDARIES OF  
9 THE UNORGANIZED TERRITORY TO BE ANNEXED, A MAJORITY OF THE PROPERTY OWNERS IN  
10 THE UNORGANIZED TERRITORY MAY SUBMIT A PETITION.

11          2. THE UNORGANIZED TERRITORY TO BE INCLUDED IN THE UNIFIED SCHOOL  
12 DISTRICT CONTAINS LESS THAN ONE HUNDRED FIFTY PUPILS AT THE TIME OF  
13 ANNEXATION.

14          3. THE UNORGANIZED TERRITORY THAT IS PROPOSED TO BE INCLUDED IN THE  
15 UNIFIED SCHOOL DISTRICT IS ADJACENT TO AN UNORGANIZED TERRITORY THAT IS PART  
16 OF AN INDIAN RESERVATION WITH A POPULATION OF LESS THAN TWO THOUSAND PERSONS  
17 BUT IS NOT ADJACENT TO THE UNIFIED SCHOOL DISTRICT.

18          G. IF THE GOVERNING BOARD OF THE UNIFIED SCHOOL DISTRICT APPROVES THE  
19 PETITION PURSUANT TO SUBSECTION F OF THIS SECTION, THE PETITION SHALL BE  
20 TRANSMITTED WITH THE ENDORSEMENT OF THE GOVERNING BOARD TO THE COUNTY SCHOOL  
21 SUPERINTENDENT. THE COUNTY SCHOOL SUPERINTENDENT, IF NO PETITION OPPOSING  
22 ANNEXATION SIGNED BY A MAJORITY OF THE QUALIFIED ELECTORS WITHIN THE SCHOOL  
23 DISTRICT IS RECEIVED WITHIN FIFTEEN DAYS AFTER THE TRANSMITTAL OF THE  
24 PETITION REQUESTING ANNEXATION, SHALL MAKE THE BOUNDARIES CONFORM TO THE  
25 PETITION FOR ANNEXATION AND NOTIFY THE BOARD OF SUPERVISORS AND THE COUNTY  
26 ASSESSOR OF THE BOUNDARY CHANGE. THE CHANGE IS EFFECTIVE FROM AND AFTER JUNE  
27 30 NEXT FOLLOWING THE NOTIFICATION OF THE BOARD OF SUPERVISORS.